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9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
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12 MARK R. JONES, individually and on behalf
of all others similarly situated,

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14 Plaintiff,

15 v.

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17 CENTERONE FINANCIAL SERVICES,
LLC, a corporation; and DOES 1-50,
18 inclusive,

19 Defendant.
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Case No. 3:14-cv-01673 SI

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING INITIAL CASE
MANAGEMENT CONFERENCE AND
RELATED DEADLINES**

[Civil Local Rules 6-2 and 7-12]

[Complaint filed: March 3, 2014]

Pursuant to the following stipulation, the parties have agreed to, and request that the Court grant, a continuance of the December 12, 2014 Initial Case Management Conference ("CMC") in this action to **January 16, 2015 at 2:30 p.m.**, and that all related deadlines be continued accordingly.

STIPULATION

Pursuant to Civil Local Rules 6-2 and 7-12, defendant CenterOne Financial Services, LLC ("CenterOne") and plaintiff Mark R. Jones ("Jones") stipulate and request as follows:

WHEREAS, on June 26, 2014, the Court entered the parties' Stipulation and Order Continuing Case Management and Related Deadlines, which continued the CMC until five weeks after the hearing on CenterOne's initial Motion to Dismiss (Docket No. 23);

WHEREAS, on July 31, 2014, the Court issued its Order Denying Plaintiff's Motion to Remand and Granting Defendant's Motion to Dismiss the Complaint With Leave to Amend (Docket No. 25);

WHEREAS, on August 12, 2014, the Court entered a Stipulation With Proposed Order to Continue Initial Case Management Conference and Related Deadlines, which continued the initial case management conference to December 12, 2014 (Docket No. 28);

WHEREAS, on August 15, 2014, Jones filed an Amended Complaint for Unfair Business Practices against CenterOne (Docket No. 29);

WHEREAS, on August 29, 2014, CenterOne filed a Motion to Dismiss Plaintiff's Amended Complaint (Docket No. 30), which is now set for hearing on December 12, 2014 per the Clerk's Notice Continuing Motion Hearing filed November 24, 2014 (Docket No. 41);

WHEREAS, the current CMC date of December 12, 2014 would require the parties to begin the Rule 26 meet-and-confer process immediately and file a joint CMC statement by December 5, 2014;

WHEREAS, the case schedule originally contemplated a five week period between defendant's Motion to Dismiss and the initial CMC;

1 WHEREAS, pursuant to Civil L.R. 6-2(a)(1), the parties have conferred and agree
2 that continuing the CMC and related deadlines until after this Court has ruled on on CenterOne's
3 Motion to Dismiss would be in the parties' best interests and in the interest of judicial economy;

4 WHEREAS, with respect to Civil L.R. 6-2(a)(2), the previous time modifications in
5 this action include: a) the re-setting of the Initial CMC by the Clerk from July 30, 2014 to August
6 1, 2014 (Docket Nos. 4 and 11); b) the Clerk's Notice of May 14, 2014 continuing the hearing for
7 CenterOne's Motion to Dimiss to June 27, 2014 at 9:00 a.m. (Docket No. 16); c) the Clerk's
8 Notice of June 18, 2014 continuing the hearing on CenterOne's Motion to Dimiss to August 1,
9 2014 at 9:00 a.m. (Docket No. 21), d) the Court's Stipulation and Order Continuing Case
10 Management and Related Deadlines, continuing the initial CMC to September 5, 2014 (Docket
11 No. 23); e) the Court's Stipulation and Order to Continue Initial Case Management Conference
12 and Related Deadlines, continuing the initial CMC to December 12, 2014 (Docket No. 27); f) the
13 Clerk's Notice of October 29, 2014, continuing the hearing on Defendant's Motion to Dismiss
14 Plaintiff's First Amended Complaint to November 13, 2014 (Docket No. 38); g) the Court's
15 Stipulation and Order Continuing Hearing on CenterOne's Motion to Dismiss First Amended
16 Complaint, continuing the hearing on Defendant's Motion to Dismiss Plaintiff's First Amended
17 Complaint to December 5, 2014 (Docket No. 23); and h) the Clerk's Notice Continuing Motion
18 Hearing filed November 24, 2014, continuing the hearing on Defendant's Motion to Dismiss
19 Plaintiff's First Amended Complaint to December 12, 2014 (Docket No. 41);

20 WHEREAS, with respect to Civil L.R. 6-2(a)(3), a continuance of the initial CMC
21 and related deadlines until five weeks after the anticipated December 12, 2014 hearing on
22 defendant's renewed motion to dismiss will not, at this early stage, have a significant effect on the
23 overall schedule for this case, and merely re-establishes the timing that existed when defendant's
24 motion to dismiss was set for June 27, 2014 and the initial CMC was set for August 1, 2014;

25 NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED that the
26 Court continue the current December 12, 2014 Initial CMC to **January 16, 2015 at 2:30 p.m..** and
27 continue all related deadlines accordingly.

E-FILING ATTESTATION

By her signature below, counsel for CenterOne attests that counsel for all parties whose electronic signatures appear below have concurred in the filing of this Stipulation.

Dated: December 5, 2014

SHEPPARD, MULLIN, RICHTER & HAMPTON
LLP

By: /s/ ANNA S. McLEAN

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Dated: December 5, 2014

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Attorneys for Plaintiff

MARK R. JONES

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 12/10/14



The Honorable Susan Illston

United States District Court Judge